

May 13, 2021

## **VIA ECF**

Hon. Lorna G. Schofield United States District Court for the Southern District of New York Thurgood Marshall United States Courthouse 40 Foley Square. New York, New York 10007

Re: Adams, et al. v. Citigroup Global Markets Holdings Inc., 1:21-cv-02270 (S.D.N.Y.)

Dear Judge Schofield:

I write on behalf of Citigroup Global Markets Holdings Inc. ("CGMHI"), Defendant in the above-referenced action, pursuant to Rule I(B)(2) of Your Honor's Individual Practices and Rule 1(C) of Your Honor's Individual Practices In Civil *Pro Se* Cases, to request an adjournment of the Initial Pretrial Conference scheduled on May 27, 2021. *See* ECF No. 11.

CGMHI has not yet been served with process in this action. On April 5, 2021, CGMHI wrote to Plaintiffs offering to execute form waiver of service of process requests on Form AO 399 pursuant to Rule 4(d) of the Federal Rules of Civil Procedure. Plaintiffs have not yet responded. Once served, CGMHI intends to move to dismiss the complaint in accordance with the Court's Individual Practices.

Accordingly, CGMHI respectfully requests that the Court adjourn the May 27, 2021 Initial Pretrial Conference (and corresponding submissions due in advance of the Initial Pretrial Conference) until a time convenient for the Court after the resolution of CGMHI's anticipated motion to dismiss the complaint once CGMHI has been served with process. There have been no previous requests for an adjournment. CGMHI contacted Plaintiffs prior to this submission and Plaintiffs did not respond to this request for an adjournment.

Respectfully submitted,

/s/ Samuel J. Rubin

Samuel J. Rubin

The application is GRANTED in part. The initial pre-trial conference scheduled for May 27, 2021, at 11:00 a.m., is adjourned to June 10, 2021, at 11:00 a.m., on the following conference call line: 888-363-4749, access code 558-3333. The parties are advised that (1) the Court does not stay discovery deadlines pending motions to dismiss and (2) that their pre-conference materials are due by June 3, 2021.

By **May 28, 2021**, Plaintiffs shall (1) agree to Defendant's waiver of service of process pursuant to Fed. R. Civ. P. 4(d) or (2) serve Defendant and file proof of (1) or (2) on the docket.

**SO ORDERED** 

Dated: May 17, 2021

New York, New York

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE